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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,816	09/08/2003	William J. Boyer JR.	61605-5	1130

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EXAMINER

HAIDER, FAWAAD

ART UNIT	PAPER NUMBER
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3627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/657,816	Applicant(s) BOYER, WILLIAM J.	
	Examiner Fawaad Haider	Art Unit 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/25/2006</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,4, and 5 are rejected under 35 U.S.C. 102(b) as being unpatentable over Weinberger (6,813,777).

Re Claim 1: Weinberger discloses electronically swiping an identification card indicating attendant and commercial airline flight (See col. 9, lines 18-27 and col.43, lines 30-58 and col.5, lines 60-67 and col.6, lines 1-18). Weinberger discloses electronically swiping a financial card to collection identification information for payment of rental of a self-contained in-flight entertainment device (discloses a credit card reader 121d). Weinberger discloses distributing the self-contained in-flight entertainment device to a passenger (See col.7, lines 33-51). Weinberger discloses noting an identification of the self-contained in-flight entertainment device (col.5, lines 60-67 and col.6, lines 1-18). Weinberger discloses recording an association between the identification of the self-contained in-flight entertainment device and information associated with the passenger (see col.38, lines 58-67 and col.39, lines 1-2).

Re Claim 4: Weinberger discloses wherein the recording of the association has information associated with the passenger consisting of at least one of the following: the identification information from the financial card, identification of seating for the passenger, and identification information of the passenger (see col.38, lines 58-67 and col.39, lines 1-2).

Re Claim 5: Weinberger discloses wherein the financial card being electronically swiped is a credit card of the passenger (See col.7, lines 33-51).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weinberger (6,813,777) in view of Official Notice.

Re Claim 2: Weinberger lacks the following teaching. The Examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art at the time of the invention to disclose wherein the recording is done by writing an identification number of the self-contained in-flight entertainment device on a clear plastic map of seating of the aircraft. This practice is done very commonly on many airlines in the industry today, as it reminds both the passenger and attendant what items they had ordered and utilized.

Re Claim 3: Weinberger lacks the following teaching. The Examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art at the time of the invention to disclose wherein the recording is done by placing a paper copy of a finance transaction related to the swiping of the financial card into a slot of a carrying

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case previously holding the self-contained in-flight entertainment device. This is essentially giving the person a receipt for whatever they may have purchased, and this is common in the airline industry today.

Re Claim 6: Weinberger discloses distributing self-contained in-flight entertainment devices to passengers for their use on-board the commercial aircraft in exchange for payment with a financial card, and recording an association between the self-contained in-flight entertainment devices and the passengers using them (see col.39, lines 19-67). Weinberger does not disclose the limitations of collected the IFEDs from passengers, and if any are missing, to charge the appropriate passengers. The Examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art at the time of the invention to disclose collecting the self-contained in-flight entertainment devices from passengers; determining if any one of the self-contained in-flight entertainment devices was not collected and if so, charge the financial card for the uncollected self-contained in-flight entertainment device. If someone does not return a movie rental, they will get charged according to the credit card they purchased the airline ticket with, which is another common practice in the airline industry today.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fawaad Haider whose telephone number is 571-272-7178. The examiner can normally be reached on Monday-Friday 7:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fawaad Haider
Examiner
Art Unit 3627

FIH

Michael Cuff 3/30/07
MICHAEL CUFF
PRIMARY EXAMINER